

TREGO LAKE DISTRICT BY-LAWS

Adopted at the Trego Lake District Annual Meeting June 11, 2022

PREFACE

These By-Laws shall be interpreted consistently with Wis. Stat. Chapter 33 under which the District was created and operates. Relevant sections of the Statutes are cited in brackets throughout these By-Laws for reference.

ARTICLE I - ELECTORS

Section 1 - RESIDENTS Every resident of the District who is eligible to vote in general elections shall be an eligible elector of the District. [§6.10]

Section 2 - NON-RESIDENT PROPERTY OWNERS: Every person 18 years of age or older who owns real property in the District shall be an eligible elector of the District and may vote at District meetings. The person that is the official representative, officer, or employee who is authorized to vote on behalf of a trust, corporation, foundation, association, or organization that owns real property within the district may also vote. [§ 33.01(9) (ar)3]

ARTICLE II – VOTING AT ANNUAL MEETINGS

Section 1- VOTING: An elector may cast one vote on any question.

Section 2 - NON-RESIDENT MULTIPLE OWNERS: When more than one name appears on the assessment roll prepared for purposes of real property taxation, joint tenants or tenants in common shall select no more than two of the co-owners to represent them and each may cast one vote.

Section 3 - CASTING BALLOTS: An elector must be present either in person or by Zoom or other video means at the meeting at the time the vote is called in order to vote. An elector must be present in person to vote on the election of commissioners at the annual meeting. [§33.30(3)(a), §33.30(5)]. No elector may vote by proxy or absentee ballot. [§33.30(2)]

ARTICLE III - ANNUAL MEETING

Section 1 - TIME AND PLACE: The annual meeting shall be held between May 22 and September 8 at a time and place selected by the Board of Commissioners, hereinafter

referred to as the Board, unless the date has been set by the previous annual meeting. [§30.30(1)]

Section 2 - NOTICE A written notice of the annual meeting shall be mailed at least 14 days in advance of the meeting to all property owners whose names appear on the tax roll. Notice shall also be mailed to the Department of Natural Resources and the University of Wisconsin Extension. In lieu of sending written notice, a Class 2 notice shall be published in a paper of general circulation in the area. [3.30(2)] The annual meeting notice shall include: time, place, agenda, a summary of the proposed budget. [§33.30(2m)] and information on how to attend by Zoom or other video means.

Section 3 - NOMINATION OF COMMISSIONERS - A nominating committee may be appointed to nominate candidates to fill all vacancies on the Board. If ballots are printed for the election, they shall provide space for write-in candidates. Nominations from the floor are in order.

Section 4 - ELIGIBILITY OF COMMISSIONERS The annual meeting may elect any elector to the office of commissioner. [§33.28(2)]

Section 5 - BOARD ELECTIONS. The electors shall elect one commissioner to fill each vacancy on the Board. When a commissioner's term of office has expired, their successor shall be elected to a three-year term. Elected members of the Board serve for staggered three-year terms. [§33.30]

Section 6 - SECRET BALLOT. Elections for the office of commissioner shall be conducted by secret ballot. [§33.30 (3)(a)]

Section 7 - ANNUAL BUDGET: At the annual meeting the Board shall present a proposed budget and tax for the coming fiscal year beginning October 1. The electors of the District shall approve the budget and vote the tax as proposed or modify the budget and change the tax accordingly. The property tax levy of the District shall not exceed a rate of 2.5 mills of equalized valuation. [§33.30(4)(1)]

Section 8 - SPECIAL CHARGES AND SPECIAL ASSESSMENTS The annual meeting electors may adopt and direct the Board to collect special charges or special assessments. [§33.32].

Section 9 - PROJECT APPROVAL The annual meeting shall approve or disapprove all projects proposed by the Board.

Section 10 - OTHER BUSINESS The annual meeting shall take up and consider such other business as comes before it. [§33.30(4)(b)]

ARTICLE IV – POWERS OF THE DISTRICT

Section 1 - GENERAL POWERS OF A BODY CORPORATE: The District has all powers as authorized by Wis.Stat.Ch. 33. It may sue and be sued; make contracts; accept gifts; purchase, lease, devise or otherwise acquire, hold, or dispose of real or personal property; disburse money, contract debt; and do such other acts as are necessary to carry out a program of lake protection and rehabilitation. [§33.22]

Section 2 - SPECIFIC LAKE MANAGEMENT POWERS: The District may conduct a feasibility study, adopt a plan, and carry out implementation work including but not limited to aeration, nutrient diversion, nutrient removal or inactivation, erosion control, sediment manipulation including dredging, bottom treatments, weed and algae control, swimmer's itch control, and water level control. [§§33.13 - 33.15]

ARTICLE V - BOARD OF COMMISSIONERS

Section 1 – COMPOSITION - The affairs of the District shall be managed by the Board of Commissioners which shall consist of seven persons. Five shall be elected as provided in Article III, Section 5, in these By-Laws and one each shall be appointed by the County Board and the Trego Town Board. [§33.28]

Section 2 - APPOINTMENT A vacancy on the Board shall be filled by appointment of the Board chairperson, with approval of the Board. [§33.28(7)] Terms for appointed commissioners shall be established so as to stagger with the terms of other Board members.

Section 3 – MEETINGS The Board shall meet at least quarterly, and at other times on the call of the chairperson or the petition of three of the commissioners. [§33.28(6)] Meetings shall be open and proper notice given in accordance with the Wisconsin Open Meeting Law. [§§19.81-.98] Notice shall include information on how to attend by Zoom or other video means.

Section 4 – QUORUM Four commissioners shall constitute a quorum for the transaction of business. Board members appearing by Zoom or other video means shall be considered present for the purposes of establishing a quorum and voting.

Section 5 – DUTIES The Board shall conduct all business of the District not specifically reserved to the electors, shall carry out the provisions of these By-Laws and Wis. Stat. Ch 33, and shall carry out the directives of the annual meeting and special meetings. [§33.29]

Section 6 - ELECTION OF OFFICERS Board members shall assume their office at the Board meeting held immediately following the annual meeting at which they are elected. At this first Board meeting the Board shall elect a chairperson, a secretary, and a treasurer from among its members. [§33.29(3)] The Board may elect a single Board member to serve as Secretary/Treasurer with all duties as prescribed for both offices.

Section 7 - TERM OF OFFICE All officers' terms are for one year.

Section 8 - DUTIES OF THE OFFICERS:

- 1) The chairperson shall preside at all meetings of the District and the Board. [§. 33.29(3)(a)]
- 2) The secretary shall keep minutes of all meetings of the District and the Board and shall prepare, post, and send all notices as required by law and these By-Laws. [§33.29(3)(b)] The secretary is responsible for preserving the records of the District.
- 3) The treasurer shall receive and take charge of all monies of the District and pay out the same as directed by the Board. [§33.29(3)(c)]

Section 9 - COMPENSATION Commissioners shall be paid actual and necessary expenses incurred while conducting business of the district, plus such compensation as may be established at the annual meeting. [§33.28(5)]

Section 10 - CONFLICT OF INTEREST A commissioner shall abstain from voting on any matter before the Board in which the commissioner, or any member the commissioner's immediate family (spouse, parents, or child), has a financial interest or a conflict of interest.

ARTICLE VI – BOARD POWERS AND DUTIES

Section 1 - The Board shall be responsible for:

- 1) Initiating and coordinating research and surveys for the purpose of gathering data on the lake, related shorelands, and the drainage basin [§33.29(1)(a)]
- 2) Planning lake rehabilitation projects. [§33.29(1)(b)]
- 3) Contacting and attempting to secure the cooperation of units of general purpose government in the area for the purpose of enacting ordinances deemed necessary by the Board to further the objectives of the District. [§33.29(1)(c)]
- 4) Adopting and carrying out lake protection plans and obtaining any necessary permits therefore. [§33.29(1)(d)]
- 5) Maintaining liaison with those officials of state government involved in lake protection and rehabilitation. [§33.29(1)(e)]
- 6) Implementing the directives of the electors at annual and special meetings. [§33.29(2)]

Section 2 - The Board shall have control over the fiscal matters of the District, subject to the powers and directives of the annual meeting. The Board shall annually, at the close of the fiscal year, cause an audit to be made of the financial transactions of the District, which shall be submitted to the annual meeting. [§33.29]

Section 3 - Subject to the directives of the annual or special meetings, the Board may borrow money or use any other financing method prescribed by law. [§33.31]

Section 4 - Subject to the directives of the annual meeting and special meetings and as authorized by law, the Board may use special assessment or special charges. [§33.32]

ARTICLE VII - CONTRACTS

Section 1 –CONTRACTING All contracts exceeding \$2,500 for work or materials shall be let by the Board to the lowest responsible bidder. Soliciting bids and the determination of the reliability of the bidder shall be in the manner prescribed by the Board. If a bid is accepted which exceeds any other bid by more than 20 percent, or if a sole source purchase is made or considered, the Board must provide justification for its action to the annual meeting. [§33.22(1)]

Section 2 - SECURITY BOND AND INSURANCE The Board may require that every contracting party adequate performance and liability security at the time the party submits their bid. [§33.22(2)]. All successful bids must provide the-District with a copy of liability insurance in the District's name.

ARTICLE VIII - COMMITTEES

Section 1 - NOMINATING: The chairperson may appoint three electors who are not running for the office of commissioner to serve as the nominating committee. If appointed, the committee shall make nominations as provided in these By-Laws.

Section 2 - AUDITING: The chairperson shall appoint three electors to serve as the audit committee. The committee shall examine all financial records of the District and report to the annual meeting.

Section 3 - OTHER COMMITTEES: The chairperson may appoint other committees as appropriate or necessary to further the interests of the District. [§33.29(2)]

Section 4 COMMITTEE REPORTING: All committees shall report to the chairperson or the Board upon request and to the annual meeting.

Section 5 - COMPENSATION: Committee members shall receive no remuneration for service to the District. With approval from the Board, committee members may submit vouchers for actual and necessary expenses incurred while conducting the business of the District.

Section 6 - TERMS OF COMMITTEE MEMBERS: All committee members shall serve at the pleasure of the chairperson.

ARTICLE IX - SPECIAL MEETINGS

Section 1 - PURPOSE OF SPECIAL MEETINGS: Special meetings of the District may be held for the purpose of any action that can be taken at an annual meeting except as follows:

- 1) No petition to consider dissolution of the District may be taken up at a special meeting. [§33.305(3)(c)]
- 2) The annual budget may not be approved at a special meeting, although it may be amended. [§33.305(3)(a)]
- 3) The special meeting may not consider any matter that was resolved during any other special meeting held since the previous annual meeting. [§33.305(3)(d)]
- 4) By-Laws may not be amended at a special meeting.

Section 2 - CALLING A SPECIAL MEETING. A special meeting may be called at any time by a majority of the Board. The Board shall schedule a special meeting when petitioned by at least 10 percent of the persons qualified to vote at the annual meeting. [§33.305(1)]

Section 3 - NOTICE AND VOTING Rules regarding notice and voting are the same for a special meeting as for the annual meeting. [§§33.305(2), 33.305(4)]

ARTICLE X - CONDUCT OF MEETINGS

All meetings of the Board and District shall be conducted according to the current edition of Roberts Revised Rules of Order unless contrary to Wisconsin Statutes or these By-Laws. The chairperson may appoint a parliamentarian.

ARTICLE XI – AMENDING BY-LAWS

Section 1 - ANNUAL MEETING These By-Laws may only be amended at an annual meeting.

Section 2 - VOTE Amendments to these By-Laws require a two-thirds vote of the electors present at the annual meeting.

ARTICLE XII DISSOLUTION

A petition to the County Board to dissolve the District requires a two-thirds vote of electors present at the annual meeting. [§33.35]